

May 21, 2008

NOTICE OF REGULAR MEETING

AND

PUBLIC HEARING MEETING OF THE
BENTON COUNTY PLANNING BOARD

WHEN: May 21, 2008

TIME: 5:30 p.m. The Benton County Planning Board will meet to receive Public Comments on any of the proposed projects on the agenda.

PLACE: Benton County Administration Building, 215 East Central Avenue
Quorum Courtroom, 3rd Floor (Suite 324)
Bentonville, AR 72712

AGENDA FOR REGULAR PUBLIC HEARING

1. Call to Order

2. Roll Call

The following Benton County Planning Board members were present: Scott Borman, Mark Gray, Caleb Henry, Bill Kneebone, Adele Lucas, Tim Sorey, and Heath Ward. The following Benton County Planning Office staff members were present: Kathleen Davis and Karen Stewart.

3. Disposition of the Minutes of April 2, 2008 technical advisory committee meeting and the April 16, 2008 public hearing meeting as distributed

Mr. Kneebone made a motion to accept the April 2nd TAC meeting minutes; Ms. Lucas seconded the motion. Mr. Borman, Mr. Gray, Mr. Henry, Mr. Kneebone, Ms. Lucas, Mr. Sorey and Mr. Ward all voted in favor of the motion; the motion was passed.

Mr. Borman made a motion to accept the April 16th public hearing meeting minutes; Mr. Henry seconded the motion. Mr. Borman, Mr. Gray, Mr. Henry, Mr. Kneebone, Ms. Lucas, Mr. Sorey and Mr. Ward all voted in favor of the motion; the motion was passed.

4. Reports of Planning Board members

There were no reports from any of the members.

5. Public Comment

Mr. Sorey explained that public comment would be heard at the beginning of the meeting and that each person would be limited to about three minutes; he then opened public comment.

Mrs. Doris Lundeen, who stated that she and her husband own property on Highway 102 near the proposed Horton Farms location, stated that she would like more information regarding the project. She stated that the only notification that they had had of the project was a certified letter. Mr. Sorey stated that the proposed location of the project is not on Highway 102; Mrs. Lundeen asked if the Board had a map of where the project would be located or any further information regarding the project. Ms. Lucas offered the information she had; Mrs. Lundeen stated that she'd like to have information that she could actually look over, rather than just glance at. Ms. Lucas pointed out the vicinity map and the roads around the project to Mrs. Lundeen.

Mr. Sorey offered to call the project's representative to the podium to give a brief description of the project; he also asked if the Lundeens had a residence near the project location on Highway 102. Mrs. Lundeen stated that they do and that they receive mail there; Mr. Lundeen stated that the address of their property is 16160 West Highway 102. Mr. Sorey stated that the Lundeens had probably received a certified letter regarding the project; Mrs. Lundeen denied this, stating that their mailbox "is down right now." Mr. Sorey asserted that they must have received notification of the project somehow; Mrs. Lundeen stated that they had received the notification at their Springdale mailing address. Mr. Sorey stated that more than likely they had property that somehow adjoined the applicant's property; Mrs. Lundeen agreed that this was the case.

Mr. Sorey asked Brian Sartain of Sand Creek Engineering to come to the podium to give an overview of the project.

Mr. Sartain stated that the Lundeens' property adjoins the proposed Horton Farms; he said that the project location will be visible from Bethlehem Road, not from Highway 102. Mrs. Lundeen interjected the question of how much of their property is adjacent to the project location. Mr. Sartain stated that the back 40-acre parcel of Horton Farms would adjoin the Lundeens' property.

Mr. Sorey asked Mr. Sartain to describe the building and its proposed use. Mr. Sartain stated that the building would be a 3500 square foot log cabin-style retreat which would include an associated water line and private drive. He explained that the building would be used by members of the

applicant's church as a church camp and gathering place. He added that a proposed road on the plans would be used for two future residences.

Mrs. Lundeen asked why this project is being considered commercial; Mr. Sartain explained that since some of the public would be using the property, the Board needed to ensure that the project is designed safely and efficiently. Mrs. Lundeen asked how many people would use the facility; Mr. Sartain estimated that 20 to 25 people would use it at any given time. Mrs. Lundeen asked how many acres the applicant had; Mr. Sartain stated that they have a total of approximately 120 acres. Mrs. Lundeen asked again about the number of people using the facility; Mr. Sartain repeated that approximately 25 people would use the facility at a time, but added that the applicant might have special functions, like weddings, at the site.

Someone asked about housing on the site; Mr. Sartain stated that the development would not be a commercial subdivision. Mrs. Lundeen asked where parking would be located; Mr. Sartain answered that it would be on a small cul-de-sac and pointed it out to her.

Mrs. Lundeen made a comment regarding the lack of information provided to her. Mr. Sorey explained that Benton County's large scale development process only requires that the applicant notify adjacent landowners of the public hearing meeting addressing the proposed project; he said that they are not required to furnish plans to the owners of adjoining properties. He added that this proposed project is mostly a private development, but that since the use of it will be other than residential, the applicant was required to go through the large scale development/commercial development process.

Mrs. Lundeen expressed concern that this property could be sold to someone else and further developed since it was being considered commercial; Mr. Sorey explained that Benton County does not currently have zoning, so the property is not considered commercial – it is simply being used for a non-residential purpose.

Mrs. Lundeen asked if the applicant was considering the addition of more log cabins; Mr. Sartain reiterated that the applicant plans to build two more dwellings on the back of the property. Mr. Sorey interjected that if the project expands at all, the applicant will have to bring it back before the Board before any work can begin, so the adjacent property owners would be re-notified.

Mrs. Lundeen asked if the applicant would use Bethlehem Road to access the proposed development; Mr. Sartain stated that they would. Ms. Lucas stated that, from the site photographs, it appears that the building is already built; Mr. Sartain stated that the cabin is mostly framed.

Mr. Lundeen stated that they had been contacted regarding a large housing development because the developer wanted an easement from the Lundeens. Mrs. Lundeen asked if this was the same

developer. Mr. Sorey stated that he did not know, but that he did not think that it was. Mr. Lundeen stated that he had spoken with the applicant regarding the proposed project and he understood it to be of a religious nature.

Mrs. Lundeen asked if there would be any noise generated by the project; Mr. Sartain stated that he did not anticipate any issues and he did not expect any noise to carry that far. Mrs. Lundeen enquired whether there would be more roads constructed in the area other than what was shown on the plan; Mr. Sartain answered, "No ma'am, not at this time." Mrs. Lundeen asked if it was possible for them to have a copy of the plans; Ms. Lucas gave Mrs. Lundeen her copy.

Mr. Sorey asked if Mrs. Lundeen had any other questions or concerns. Mrs. Lundeen asked if any other property owners who adjoined the Hortons' land were present; there were none. Mrs. Lundeen then asked if the final decision regarding this project would be made at this meeting; Mr. Sorey affirmed that the Board would be voting on this project at this meeting. Mrs. Lundeen asked what would happen if the Lundeens had objections; Mr. Sorey stated that they would need to state their objections as a part of this public hearing.

Mrs. Lundeen stated, "We haven't even had a chance to look at it to know what it's going to be or anything else about it. I don't really know how we could come up and jump and do everything all in a few minutes." Mr. Sorey explained that this was the reason for the notification process; he stated that the advance notification is given to allow time for concerned citizens to call the Planning office in order to get informed about projects. Mrs. Lundeen countered that she had only been notified a week before; Mr. Sorey stated that the notifications are required to be sent out 14 days prior to the public hearing. Mrs. Lundeen stated that the applicant would probably have their return receipt with the date on it; Mr. Sorey confirmed this and stated that Staff would have copies as well. Ms. Davis stated that the date that they were mailed out was 5/5/08.

Mrs. Lundeen stated that she did not have any further questions at this time, they asked how the Board members would feel if this project was being constructed next to their property. Mr. Kneebone stated that the Board does not base its decisions on how the members feel about projects – they base their decisions on the Benton County rules and regulations.

Mrs. Lundeen then asked if everything done in conjunction with this project was legal; Mr. Sorey answered that it was legal and explained that the applicant was going through the development process for a non-residential project as directed by Benton County. He explained that the applicant had to attend the technical review meeting in order for the Board to review any potential issues, and then they were required to attend this meeting, the public hearing, at which the Board will vote. The Board will decide if all issues with the project have corrected. He reminded Mrs. Lundeen that the

property is 120 acres with a 3500 square foot building on it which will only be used occasionally, not every day.

Mrs. Lundeen argued that the property had always been agricultural in the past and asked why the applicant had not contacted them to discern their feelings and thoughts on the project. Mr. Sorey stated he could not make a statement regarding why the applicant had not contacted them personally, but that the applicant is following the process determined by Benton County ordinances. Mrs. Lundeen stated that they (the Lundeens) had had no say in the matter; Mr. Sorey disagreed, stating that they had this meeting at which they could express their opinions and concerns, and he stated that the Board would take their concerns into account.

Mrs. Lundeen stated that since they had no idea of how much noise, light, traffic, or anything else would be generated by the project, she was against it.

Mr. Sorey acknowledged Mrs. Lundeen's comments. He asked for any further public comment; there was none, so public comment was closed.

6. Old Business:

A. Final Plat - Edens Bluff Lake Estates - Ervin McGarrah Road, Lowell - Engineering Services

The stipulations from the TAC meeting were:

- The applicant was asked to mulch and seed the site for soil stabilization.

Steve Lewis of 18708 Ervin McGarrah Road in Lowell and Dan Andreasen of 10810 Ervin McGarrah Road in Lowell represented the final plat application.

Mr. Sorey asked for Staff comments; Mrs. Stewart read them for the record: "The applicant is requesting final plat approval. At the TAC meeting the Board asked the applicant to mulch and seed the site for soil stabilization and to satisfy the stormwater requirements of their ADEQ permit. The applicant stated that had been done after the presented pictures were taken.

- Staff recommends approval contingent upon satisfactory inspection of the soil stabilization."

Mr. Lewis stated that they were up-to-date with their ADEQ permit and that it is renewable each year. Mr. Andreasen stated that there may have been a misunderstanding; he said that not everything had been mulched and seeded, but that they are working on it. He added that some of that work had been completed after the site photos were taken.

Mr. Sorey asked for any Board comments or questions. There were none.

Mr. Borman made a motion to approve the final plat application, subject to the stipulation that the applicant complete the seeding and mulching and that the completion be verified; Mr. Kneebone seconded the motion. Mr. Borman, Mr. Gray, Mr. Henry, Mr. Kneebone, Ms. Lucas, Mr. Sorey and Mr. Ward all voted in favor of the motion; the motion was passed.

7. New Business:

A. Variance from Large Scale Development Regulations - **Daystar Preschool** - 13101 North Highway 62, Rogers - Jim Ramsey

The stipulations from the TAC meeting were:

- The applicant was required to send out notifications to adjacent landowners.

Landon and Christa Sartin of 4319 Landers Road in Rogers represented the request for a variance from the large scale development regulations.

Mr. Sorey asked for Staff comments; Mrs. Stewart read them for the record: "The applicant proposes to place a preschool in an existing church building on N. Hwy 62. The applicant is seeking a waiver of the large scale development requirements since the building is already in existence. At the TAC meeting the board asked that the applicant notify adjacent property owners of the proposal. Copies of the notifications have not been submitted to date.

- Staff recommends tabling of the waiver request until copies of the notifications have been submitted. Thereafter, staff recommends approval of the waiver contingent upon the preschool's approval by the Arkansas Health Department."

Mr. Sartin stated that he had all of the return receipts back from the certified mail notifications except that of Donna and Douglas Weber. Mr. Sorey asked if the applicant had the proof that he had sent out the notifications; Mr. Sartin stated that he did. Mr. Sorey explained that the Board did not need proof that the adjacent property owners had received notification, only that the applicant had sent the notification. Mr. Sartin stated that he did not have the receipt with him, but agreed to provide it to Staff. Mr. Sorey asked if the notifications had been sent in the required time; Mr. Sartin stated that he had sent them out on 5/8/08. Mr. Borman interjected that the Board had asked the applicant to send them out; he explained that it is an existing building, but that the use is changing. Ms. Lucas stated that the notifications were not a requirement of the regulations, since it was a use issue. Mr. Sorey stated that it was done to give any adjacent property owners a chance to address the matter, but there had not been anyone there to speak on this project.

Mr. Ward made a motion to approve the request for a variance from the large scale development, contingent upon the approval of the Health Department and the submission of the rest of the notifications; Mr. Borman seconded the motion. Mr. Borman, Mr. Gray, Mr. Henry, Mr. Kneebone, Ms. Lucas, Mr. Sorey and Mr. Ward all voted in favor of the motion; the motion was passed.

B. Lot Split (Timber Lake Estates Subdivision) - **Brenda Knox** - 17741 Key Road, Rogers - Jenkins Surveying

The stipulations from the TAC meeting were:

- * Add a vicinity map to the survey
- * Add the names of the adjacent property owners to the survey
- * Provide a fire protection letter from the servicing fire department
- * Ask the notary to avoid stamping over the legal description on the survey
- * Add the section, township and range to the survey.

Brenda Knox of 18768 Coppermine Road in Rogers and John Phillips represented the lot split.

Mr. Sorey asked for Staff comments; Mrs. Stewart read them for the record: "The applicant proposes to split an 11.5 ± lot in an existing subdivision. At the TAC meeting, the board asked the applicant to resubmit copies of the lot split with the following information: a vicinity map, adjacent landowners identified, an acceptance letter from the fire department, and copies without a notary seal over the wording. No new lot split plats have been submitted to date.

- Staff recommends tabling of the request until all items are satisfied. If all items are satisfied prior to the meeting, then staff recommends approval of the lot split."

Mr. Phillips submitted new copies of the plat to the Board. Ms. Knox stated that she did not recall the requirement for the fire letter; Mr. Sorey assured her that, if everything else was in order, the lot split could be approved contingent upon submission of the fire letter.

Mr. Sorey looked over the new plat, noting that the vicinity map, adjacent property owners, and notary stamp all seem to be in order. He asked if any of the Board members had any other items to address; there were none.

Mr. Borman made a motion to approve lot split, contingent upon the submission of the fire letter; Ms. Lucas seconded the motion. Mr. Borman, Mr. Gray, Mr. Henry, Mr. Kneebone, Ms. Lucas, Mr. Sorey and Mr. Ward all voted in favor of the motion; the motion was passed.

The new plats were collected and given back to Mr. Phillips.

C. Tract Split - **Tyson Swine Farm** - Rocky Dell Hollow Road, Bella Vista - Jenkins Surveying

The stipulations from the TAC meeting were:

- * Add a note to the plat stating that the right-of-way has been dedicated to the County

Craig Jones of 313 West Dickson Street in Fayetteville represented the tract split request.

Mr. Sorey asked for Staff comments; Mrs. Stewart read them for the record: "The applicant is seeking a waiver of the subdivision requirements. The applicant proposes to split three 1 ± acre tracts off of the 40 acres known as the Tyson Hog Farm. At the TAC meeting, the board discussed whether the need for a subdivision was necessary as long as right-of-way was dedicated per the lot split for Rocky Dell Hollow Road. The consensus of the TAC was that a subdivision was not needed. To date, no new plats have been submitted.

- Staff recommends approval of the waiver provided new tract split plats are submitted that show the dedicated right-of-way."

Mr. Jones stated that the Board should have the new plats; several members indicated that they had the new plat. Mr. Jones stated that the right-of-way is shown in the dedication and that the City of Centerton water issue was corrected. He added that that first two tracts are now referred to as Tracts 1 and 2 instead of having the descriptions.

Mr. Borman made a motion to approve the tract split and request for a variance from the subdivision requirements; Mr. Gray seconded the motion. Mr. Borman, Mr. Gray, Mr. Henry, Mr. Kneebone, Ms. Lucas, Mr. Sorey and Mr. Ward all voted in favor of the motion; the motion was passed.

D. Preliminary Plat - **Emerald Ridge Subdivision** - 15051 Fielding Road, Hiwassee - HGM Consultants

The stipulations from the TAC meeting were:

- * Submit a revised drainage report or letter
- * Submit a letter of approval from the Health Department
- * Look at the pipe sizing

* Clarify drainage easements

Larry Kelly, who gave his address as P.O. Box 132, Hiwasse, and Eric Heller, of HGM Consultants, represented the preliminary plat application.

Mr. Sorey asked for Staff comments. Mrs. Stewart asked those present to bear in mind that the comments made were from Friday, May 16th; she then read them for the record: "The applicant proposes to revise a previously approved preliminary plat. The new plat is for 19 lots (larger lots) that will be utilizing wells and septic tank systems. At the TAC meeting the board asked the applicant to provide a new drainage report for the project since a new engineer is working on the project. The TAC also asked that the applicant provide pipe sizing on the new plat and that the pipes also be included on new road profiles. The TAC noted that drainage easements would be necessary for the project at final plat. Staff recommended that a new approval letter be obtained by the applicant from the Arkansas Health Department for well and septic use in the subdivision and the TAC concurred. The board also asked why excavation was mentioned in the drainage report. No new plats or reports have been submitted to date.

- Staff recommends tabling the project until the following items are provided:

- a. A new plat with pipe sizing indicated.
- b. A new drainage report from the new engineer.
- c. A new set of road profiles for the proposed roads
- d. A new letter of approval from the Arkansas Health Department"

Mr. Sorey stated that the new drainage report had been submitted and that a letter addressing some of the aforementioned items had been submitted. He added that a note had been added calling out the building setback lines and drainage easements. Mr. Heller stated, "In addressing that comment: if you look at note # 2, there was going to be off, of two road profiles, Emerald Ridge Drive and Emerald Ridge Circle, there was going to be a couple just little swale ditches... and you'll notice on the plans it calls out that's both the building setback and a drainage easement."

Mr. Sorey thought that there might be issues with the drainage easement across lot 12 for the benefit of lot 13 because it does not follow the property lines; he stated that this would need to be corrected by final plat. He stated that this could probably be addressed as a note.

Mr. Sorey stated that it appeared that all of the pipes were sized; Mr. Heller stated that that was correct and that there was only one new pipe being installed (at lot 19). Mr. Sorey asked if there was a profile for Emerald Ridge Drive from the match line to out to Benton County 21; Mr. Kelly explained that the profiles were a part of the previous submittal, but had not been attached to this application. Mr. Kelly added that the roads had not changed at all. Mr. Sorey stated that his only concern regarding this road was the toe of the slope ending in an unknown location, since the proposed grades are not shown. Mr. Kelly showed the previous file to Mr. Sorey and reiterated that the roads were the same.

Mr. Sorey said, "I'm assuming that the pipe does daylight..." Mr. Kelly indicated that it does and that they had already raised the level five or six feet, per the Board's recommendation in 2005.

Mr. Sorey asked the Board members for any questions or comments; Mr. Henry stated, "I don't have anything else... I think it's alright." Mr. Sorey noted that Staff had recommended tabling the project if all of the items had not been addressed, but he believed that they had all been addressed.

Mr. Borman asked if the applicant had acquired a letter of approval from the Department of Health; Mr. Kelley stated that he "wasn't going to try and do it in two weeks... the last time we did it after the preliminary plat approval. I did consult with the Health Department before we ever modified this plat and worked with them on the requirements, on the changes necessary..." He added that the Health Department asked him to resubmit his plans once they were complete and that they informed him that there would not be any additional charges for his resubmittal. Mr. Heller added that their plans had been resubmitted to the Health Department; the plans have just not been reviewed and returned to the applicant.

Mr. Sorey asked the Board if anyone had any issues with letting Staff handle this project from now on; several members indicated that they had no issue with that.

Mr. Gray made a motion to approve the preliminary plat, contingent upon meeting all stipulations; Mr. Kneebone seconded the motion. Mr. Borman, Mr. Gray, Mr. Henry, Mr. Kneebone, Ms. Lucas, Mr. Sorey and Mr. Ward all voted in favor of the motion; the motion was passed.

E. Large Scale Development - **Little Valley Auction Services** - 14259 Kelley Road, Gravette - Costello Land Surveying

The stipulations from the TAC meeting were:

* Staff will obtain the applicant's Health Department approval from the building permit application file.

* Obtain a letter from the Benton County Road Department acknowledging the existing drainage issue on Beaty Road.

Jim Leemasters represented the large scale development application.

Mr. Leemasters stated that he had overheard Mr. Sorey's concern that the letter from the Benton County Road Department acknowledging the existing drainage issue on Beaty Road was not on letterhead; Mr. Sorey stated that he knew where it came from, so it was not an issue.

Mr. Sorey asked for Staff comments; Mrs. Stewart read them for the record: "The applicant proposes to add on to an existing building on his property in order to hold auctions and other events in the building. The applicant has satisfied all items of the large scale development requirements except for the submission of a drainage letter. The applicant is requesting a waiver of the drainage letter requirements. At the TAC meeting, the board told the applicant to submit a letter from the Benton County Road Department that stated that the county department was aware of the existing drainage problem on Kelley and Beaty Roads. Staff stated that it could help the applicant in obtaining this letter. No letter has been submitted to date. Staff also commented that a note on the plat was needed which stated that the reconstruction of any building would have to be done outside the 25 foot building setback line. Staff also stated that the county road department would have to approve the proposed new driveway shown on the site plan.

- Staff recommends approval of the project and waiver contingent upon the following items:

- a. Provide a letter from the county road department concerning the drainage on Kelley and Beaty Roads and approval of the new driveway access.
- b. Provide a note on the plat stating that the reconstruction of any building will have to be done outside the 25 foot building setback line."

Mr. Sorey asked the Board members if they had any questions; Mr. Ward asked if the second item (the note on the plat regarding the building setback) had been satisfied. Mr. Sorey asked if the applicant understood what was being requested; he explained that Mr. Costello needed to add the requested note to the plat. Mr. Sorey stated that the applicant was also required to obtain approval from the County Road Department regarding his new access point; Mr. Leemasters stated that he had spoken with the road department when he first began this project and that they had informed him that it should not be an issue. He was directed to purchase a culvert and told that the road department would install it.

Mr. Sorey told the Board that Mr. Leemasters was requesting a waiver from the drainage letter requirements.

Mr. Kneebone made a motion to approve the waiver from the drainage report requirements; Mr. Ward seconded the motion. Mr. Borman, Mr. Gray, Mr. Henry, Mr. Kneebone, Ms. Lucas, and Mr. Ward all voted in favor of the motion; Mr. Sorey voted against it. The motion was passed.

Mr. Borman made a motion to approve the large scale development, contingent upon meeting all remaining stipulations; Mr. Ward seconded the motion. Mr. Borman, Mr. Gray, Mr. Henry, Mr. Kneebone, Ms. Lucas, Mr. Sorey and Mr. Ward all voted in favor of the motion; the motion was passed.

Mr. Sorey clarified the remaining stipulations for Mr. Leemasters: have the surveyor add the note to the plat stating that the reconstruction of any building will have to be done outside the 25 foot building setback line and obtain the approval of the Benton County Rod Department for the new driveway.

F. Large Scale Development - **Horton Farms** - 9388 Horton Farms Lane, Gravette - Sand Creek Engineering

The stipulations from the TAC meeting were:

- * Obtain a permit from the Corps of Engineers
- * Obtain the approval of ADEQ for the stream
- * Obtain the approval of ADEQ for the water line extension
- * Post a bond for the road cut/road bore
- * Correct the flood certification
- * Locate the alternate septic field on the site plan
- * Submit a waiver for the survey requirement and remove identifying information from the survey information used

Mr. Sorey excused himself from the meeting.

Brian Sartain of Sand Creek Engineering represented the large scale development application.

Mr. Borman asked for Staff comments; Mrs. Stewart read them for the record: "The applicant is currently constructing a lodge on his property and proposes the extension of a water line to other buildings on his property.

The TAC asked general questions of the applicant. The staff informed the applicant that a floodplain development permit would be required for the water line crossing of the creek in addition to a USACE permit and possibly a permit from ADEQ. Staff advised the applicant not to use the term "wetland" in applications unless an identified wetland is present. Staff asked the applicant to locate both the primary and secondary septic system fields on the plat. Staff advised that a road cut/bore bond would be needed to install the water line across a county road. The TAC asked that the applicant submit copies of the USACE permit and other permits for the bridge and other work that has already been done on site. The TAC also stated that approval of the water line by the Arkansas Health Department and ADEQ would be required. The TAC also told the applicant to remove the old survey from the set of plans. No new plats have been submitted to date.

- Staff recommends approval of the project contingent upon the following:

- a. Obtaining all necessary permits from the USACE and ADEQ, if necessary.
- b. Obtaining all necessary permits from AHD and ADEQ for the water line extension.
- c. Approval of the water line installation by the Centerton Water District.
- d. Obtaining a floodplain development permit from Benton County Planning office after receiving state permits.
- e. Indication of the primary and secondary septic fields on the site plan."

Mr. Sartain stated that all of the items had been submitted. Mr. Borman asked if the applicant had obtained a permit from the Corps of Engineers; Mr. Sartain stated that the application had been submitted, but that they had not received it back yet. Mr. Sartain stated that it usually takes 2 months to receive a permit from the Corps of Engineers and the application had been sent in 5 weeks prior; he added that he had submitted a copy of the application to Staff.

Mr. Henry asked if the permit for work that had already been done, such as the bridge construction and channel relocation, had been submitted; Mr. Sartain stated that the applicant had provided a copy of the Corps of Engineers 404 permit for the bridge and also the Benton County Floodplain application.

Mr. Borman asked if the applicant had received the approval of ADEQ for work being done in the stream; Mr. Sartain stated that that “may or may not be required by the Corps of Engineers as part of their 404 permit process.”

Mr. Borman asked if the applicant had received the approval of the Department of Health for the water line extension; Mr. Sartain stated that the applicant is working with Jeff Coffelt of the City of Centerton. Mr. Sartain stated that Mr. Coffelt is in the process of reviewing the applicant’s “second round of water line plans”; he stated that as soon as Mr. Coffelt approves the plans, the plans will be forwarded to the Department of Health.

Mr. Borman asked if the bond for the road cut/boring had been submitted; Mr. Sartain stated that it had been. Mr. Borman asked if the flood certification had been corrected; Mr. Sartain indicated that it was on the cover of the plans. Mr. Borman asked if the alternate septic field had been indicated on the plans; Mr. Sartain stated that it had not been. Mr. Sartain explained that he had submitted an approved septic design and that the applicant has 30 acres of land on which to locate a septic system, not a small lot that might necessitate an alternate septic field.

Mr. Henry asked if the septic design had been submitted to the Health Department and the primary location as proposed had been approved; Mr. Sartain called his attention to the approved septic system permit. Mr. Henry stated that in this case, a secondary septic field would not be necessary.

Ms. Lucas asked if the applicant had submitted the request for a variance from the survey requirements; Mr. Sartain stated that they had. Mr. Ward clarified that the usage of the property would be occasional and would create very little traffic; Mr. Sartain concurred and stated that only ten parking spaces had been planned. He added that the applicant did not anticipate any impact on Highway 102 at all, only on Bethlehem Road.

Mr. Ward asked how many acres the applicant owned; Mr. Sartain answered that total ownership was 120 acres. Mr. Ward asked for clarification regarding the size of the lodge; Mr. Sartain stated that it will be 3500 square feet. Mr. Ward stated that he did not foresee any major issues with the project.

Mr. Borman recognized Mrs. Lundeen and allowed her to ask a question. Mrs. Lundeen stated that Mr. Sartain had stated that there would be no impact to Highway 102, but pointed out that Bethlehem Road comes out on Highway 102. Mr. Sartain clarified his statement, stating that “in relationship to the total traffic volume on... Highway 102, I don’t see any way that this project will significantly affect the volume on 102 whatsoever.” Mr. Ward and Mr. Borman agreed.

Mr. Kneebone made a motion to approve the large scale development application, subject to any outstanding stipulations; Mr. Ward seconded the motion. Mr. Borman, Mr. Gray, Mr. Henry, Mr.

Kneebone, Ms. Lucas, and Mr. Ward all voted in favor of the motion; Mr. Sorey abstained from the vote. The motion was passed.

Mr. Sorey returned to the meeting.

G. Informal Plat - **Railroad Cut Subdivision** - Railroad Cut Road, Rogers - Blew, Bates & Associates

**** WITHDRAWN ****

8. Announcements

Mr. Sorey announced that there would be a Focus Group meeting held at the Health Department on 5/29 at 6:30 p.m.

9. Adjournment

The meeting was adjourned at 6:27 p.m.

Respectfully submitted,

Ashley E. Pope

Planning Director